IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 6737 of 2007(B)

OS.394/2005 of MUNSIFF COURT, ATTINGAL

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PETITIONER:

S. SARASAKUMARI, RESIDING AT R.K. BHAVAN,
FROM PUTHENVILA VEEDU, AVANAVANCHERRY
VILLAGE, ATTINGAL, CHIRAYINKEEZHU
TALUK, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.GOPAKUMAR R.THALIYAL
SRI.KONCHIRA NEELAKANDAN NAIR

RESPONDENT:

K. SATHYA DAS,
CHIRACHEEKONATHU MEKKUMKARA
PUTHEN VEEDU, V.S. BHAVAN, MELATTINGAL
DESOM, ALAMCODE VILLAGE,CHIRAYINKEEZHU
TALUK,THIRUVANANTHAPURAM DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.P. Balachandran, J.

W.P.(C)No. 6737 of 2007 B

JUDGMENT

The prayer in this writ petition is for a direction being given to the court below to dispose of Exhibit P1 suit as early as possible. It was submitted, when the matter was moved before me on 28.2.2007, that the suit is ripe for trial. Report was called for from the Munsiff as to within how much time he will be able to dispose of the suit. He reported that steps in the case is not completed; that the suit is posted for framing of issues to 21.6.2007; that a counter claim is advanced in the written statement and that the petitioner/plaintiff has not filed any written statement to the counter claim. In the circumstances, it is not proper to give any direction to the court below to dispose of the suit within a time frame, as it is not possible to dispose of the suit, which is not ripe, without the

active co-operation of both the parties.

This writ petition, in the circumstances, is dismissed.

16th March, 2007 (K.P.Balachandran, Judge)

tkv